

Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 IO-13 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 OMB-01 SAM-01 DHA-02 DLOS-06 SAL-01 FEA-01

INT-05 OES-06 /105 W

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R 261300Z AUG 76

FM AMEMBASSY TUNIS

TO SECSTATE WASHDC 3962

INFO AMEMBASSY ALGIERS

AMEMBASSY CAIRO

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

AMEMBASSY TRIPOLI

AMEMBASSY VALLETTA

USUN NEW YORK 790

C O N F I D E N T I A L TUNIS 5964

USUN FOR LOS DEL

E.O. 11652: GDS

TAGS: PLOS, ENRG, PFOR, TS

SUBJECT: TUNISIAN-LIBYAN CONTINENTAL SHELF

REF: TRIPOLI 1070 (NOTAL)

1. SUMMARY: LARG-GOT AGREEMENT ANNOUNCED AUG 24 TO TAKE
CONTINENTAL SHELF ISSUE TO INTERNATIONAL COURT OF JUSTICE,
TO EXPLOIT DISPUTED AREA "I COMMON" UNTIL ICJ JUDGMENT IS
RENDERED, AND TO ACCEPT THAT JUDGMENT. BOTH SIDES ALSO
AGREE TO WORK TO NORMALIZE RELATIONS. BUTTES DRILLING PRO-
GRAM IN CONTROVERSIAL LOCATION APPARENTLY HELD IN ABEYANCE
PENDING AGREEMENT ON MODALITIES FOR INTERIM DEVELOPMENT IN
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COMMON OF DISPUTED AREA. WHILE AGREEMENT TRIUMPH IN PRINCIPLE

FOR GOT, NO GUARANTEE THAT IT WILL LEAD TO FINAL SOLUTION
WHICH WOULD GIVE TUNISIA ACCESS TO MUCH-NEEDED OFFSHORE OIL.
END SUMMARY.

2. AT END OF 5-HOUR VISIT BY LIBYAN MINISTER FOR RCC
AFFAIRS, TAHAR CHERIF BEN AMEUR, AUG 24, JOINT TUNISIAN/
LIBYAN COMMUNIQUE WAS ISSUED STATING THAT BOTH COUNTRIES
HAVE AGREED TO SUBMIT PROBLEM OF DELIMITING CONTINENTAL
SHELF BETWEEN TUNISIA AND LIBYA IN GULF OF GABES TO
INTERNATIONAL COURT OF JUSTICE. TWO PARTIES ALSO
AGREE TO CONTINUE CONSULTATIONS IN ORDER FIND INTERIM
FORMULA TO EXPLOIT NATURAL RESOURCES IN CONTESTED AREA
"IN COMMON" UNTIL ICJ JUDGMENT IS RENDERED. THEY ALSO
"UNDERTOOK" TO APPLY THE JUDGMENT OF ICJ.

3. ACCORDING TUNISIAN PRESS, PROGRESS ON CONTINENTAL
SHELF ISSUE WAS TUNISIA'S SINE QUA NON FOR IMPROVING
TUNISIAN/LIBYAN RELATIONS. FATE OF RAOUF MHENNI,
TUNISIAN BUSINESSMAN KIDNAPPED IN LIBYA IN MARCH,
DETENTIMN BY BOTH SIDES OF SOME MEMBERS OF SECURITY
FORCES, AND SITUATION OF TUNISIAN WORKERS IN LIBYA
ARE REMAINING MAJOR ISSUES ON TUNISIAN AGENDA.

4. DURING SHORT VISIT, BEN AMEUR MADE BRIEF COURTESY
CALL ON PRESIDENT BOURGUIBA IN PRESENCE OF FOREIGN
MINISTER CHATTY AND INTERIOR MINISTER TAHAR BELKHODJA,
WHOSE TRIP TO LIBYA THREE WEEKS AGO PROBABLY LAID
GOUNDWORK FOR PRESENT AGREEMENT. ALSO AGREED THAT
TUNISIAN HIGH COMMISSIONER (EQUIVALENT TO AMBASSADOR)
WILL RETURN TO TRIPOLI AND THAT BOTH SIDES WILL SEEK
RETURN TO "NORMAL RELATIONS".

5. ON BUTTES INVOLVEMENT IN DISPUTED AREA, ETAP (TUNISIAN
NATIONAL OIL COMPANY) OFFICIAL STATED THAT WHETHER BUTTES
WILL BE ABLE PROCEED WITH DRILLING PROGRAM WOULD DEPEND PRINCIPALLY ON DELINEATION OF AREA TO BE EXPLOITED "IN
COMMON" PRIOR TO ICJ JUDGMENT AND MODALITIES OF
OPERATION. HE NOTED ACTIVITY IN AREA BY BOTH PARTIES
WILL PROBABLY BE SUSPENDED UNTIL QSPECIAL TUNISIAN-LIBYAN GROUP FORMED TO DETERMINE BOUNDARIES
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OF CONTESTED ZONE AND TRANSITIONAL ARRANGEMENTS.
ETAP OFFICIAL ADDED THAT BOTH SIDES NOW APPEAR TO
AGREE TOAT CONTESTED AREA RELATIVELY SMALL AND
EXCLUDES SOME OF MORE OUTRAGEIOUS CLAIMS MADE BY
LARG (AND PRESUMABLY BY OOT). ETAP HOPEFUL THAT
PROPOSED BUTTES DRILLING AREA WILL BE IN TUNISIAN
AREA, NOT IN DISPUTED ZONE TO BE DEVELOPED IN COMMON.
IN ANY CASE, TIME PRESSURE IS OFF BUTTES.

6. COMMENT: AS DEPT AWARE, MUCH MORE THAN CONTINENTAL SHELF AND OTHER INCIDENTAL QUESTIONS WORK TO SOUR TUNISIAN/LIBYAN RELATIONS. NOT CERTAIN WHAT GOT CONCEDED TO OBTAIN LARG REVERSAL OF LONG-STANDING OPPOSITION TO DIVISION OF CONTINENTAL SHELF BETWEEN TWO ARAB BROTHERS. QADHAFI MAY HAVE SOUGHT TO CALM TROUBLED RELATIONS WITH TUNISIA AS HE FACES MORE SERIOUS PROBLEMS FROM EAST.

ANTICIPATED PETROLEUM RESOURCES IN DISPUTED AREA OF GULF OF GABES WOULD BE MAJOR BOOST TO TUNISIA'S FOREIGN EXCHANGE REVENUE AND TO FINANCING OF UPCOMING AMBITIOUS 5-YEAR PLAN. CLEARLY, TUNISIA HAS MORE TO GAIN THAN OIL-RICH LIBYA IF DISPUTE SETTLED IN MANNER PERMITTING DEVELOPMENT OF OFFSHORE OIL RESERVES IN AREAS CLAIMED BY TUNISIA OR ASTRIDE COMMON BORDER. LIBYAN AGREEMENT TO SUBMIT DISPUTE TO ICJ AND UNDERTAKING TO APPLY JUDGMENT (PRESUMABLY ON QUESTION OF PRINCIPLES TO BE APPLIED IN DETERMINING BOUNDARY, NOT LOCATION OF BORDER ITSELF) MUST BE SEEN AS TUNISIAN TRIUMPH, GIVEN LIBYAN DOCTRINE OF INDIVISIBLE ARAB NATION. AGREEMENT DOES NOT ASSURE SOLUTION TO CONTINENTAL SHELF ISSUE HOWEVER SINCE ICJ JUDGMENT LIKELY TO REQUIRE SOME TIME AND THERE IS NOT GUARANTEE THAT LIBYA (OR TUNISIA, FOR THAT MATTER) WILL ACCEPT AND APPLY IT. IN MEANTIME, BUTTES' EXPLORATION WELL MAY BE DELAYED UNLESS LARG AGREES CLEARLY THAT PROPOSED WELL LOCATION IS IN TUNISIAN CONTINENTAL SHELF AREA (WHICH WE BELIEVE IS UNLIKELY) OR UNTIL AGREEMENT IS REACHED ON MODALITIES FOR ACTIVITY "IN COMMON" IN CONTESTED ZONE.

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7. ENGLISH TRANSLATION OF JOINT COMMUNIQUE TEXT BEING SENT SEPTEL. MULCAHY

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DISPUTES, INTERNATIONAL ARBITRATION
Control Number: n/a
Copy: SINGLE
Draft Date: 26 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ellisoob
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976TUNIS05964
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760327-0295
From: TUNIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760815/aaaaamlu.tel
Line Count: 156
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION NEA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 TRIPOLI 1070
Review Action: RELEASED, APPROVED
Review Authority: ellisoob
Review Comment: n/a
Review Content Flags:
Review Date: 21 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 APR 2004 by BoyleJA>; APPROVED <24 AUG 2004 by ellisoob>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: TUNISIAN-LIBYAN CONTINENTAL SHELF
TAGS: PLOS, ENRG, PFOR, TS
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006